IMPLEMENTATION OF THE HELSINKI ACCORDS

HEARING

BEFORE THE

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

NINETY-SEVENTH CONGRESS

SECOND SESSION

PHASE IV OF THE MADRID CSCE REVIEW MEETING

MARCH 23, 1982

Printed for the use of the
Commission on Security and Cooperation in Europe

U.S. GOVERNMENT PRINTING OFFICE

93-138 O WASHINGTON : 1982

For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington, D.C. 20402

J891-3

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

DANTE B. FASCELL, Florida, *Chairman*
ROBERT DOLE, Kansas, *Cochairman*

ORRIN G. HATCH, Utah
JOHN HEINZ, Pennsylvania
ALFONSE M. D'AMATO, New York
CLAIBORNE PELL, Rhode Island
PATRICK J. LEAHY, Vermont
SIDNEY R. YATES, Illinois
JONATHAN B. BINGHAM, New York
TIMOTHY E. WIRTH, Colorado
MILLICENT FENWICK, New Jersey
DON RITTER, Pennsylvania

EXECUTIVE BRANCH

Mr. STEPHEN E. PALMER, Jr., Department of State
Hon. RICHARD NORMAN PERLE, Department of Defense
Hon. WILLIAM H. MORRIS, Jr., Department of Commerce

R. SPENCER OLIVER, *Staff Director*
MEG DONOVAN, *Coordinator*
BARBARA BLACKBURN, *Administrative Assistant*
DEBORAH BURNS, *Consultant*

CONTENTS

IMPLEMENTATION OF THE HELSINKI ACCORDS

Phase IV of the Madrid CSCE Review Meeting, March 23, 1982

WITNESSES

	Page
Eagleburger, the Honorable Lawrence S., Under Secretary of State for Political Affairs	2
Kampelman, Ambassador Max M., Chairman, U.S. Delegation to the CSCE Review Meeting in Madrid	5

PUBLIC HEARING ON PHASE IV OF THE MADRID CSCE REVIEW MEETING

TUESDAY, MARCH 23, 1982

COMMISSION ON SECURITY AND COOPERATION IN EUROPE,
HOUSE OF REPRESENTATIVES,
Washington, D.C.

The Commission met, pursuant to notice, in room 2221, Dirksen Senate Office Building, First and C Streets, NE., Washington, D.C., at 9 a.m., Representative Dante B. Fascell, (chairman), presiding.

In attendance: Senator Robert Dole, cochairman; Commissioners: Representatives Jonathan B. Bingham and Millicent Fenwick, and Mr. Stephen Palmer, Department of State.

Also in attendance: R. Spencer Oliver, staff director and general counsel.

OPENING STATEMENT OF CHAIRMAN FASCELL

Mr. FASCELL. The purpose of this morning's hearing is to hear a report on the last phase of the Madrid meeting of the Conference on Security and Cooperation in Europe, and to assess the prospects for the next phase of that meeting.

As we all know, the Madrid meeting recessed on March 12 for 7 months after a 5-week-long session marked by acrimony and disagreement. The major source of the controversy was the Polish imposition of martial law and the subsequent repression there.

The United States and its NATO allies used the Madrid meeting to draw attention to this flagrant violation of the Helsinki Final Act, as well as to other Soviet infractions, including the continued armed occupation of Afghanistan and their dismal human rights record.

In light of these examples of blatant disregard for the existing Final Act provisions, the West refused to enter into negotiations on a concluding document containing new commitments. After 5 weeks of some of the toughest exchanges in any diplomatic forum, the Madrid participants agreed to recess and to resume negotiations in November of this year, nearly 2 years to the day that the main Madrid meeting opened. I hadn't realized, Ambassador, that it was that long.

It is hoped that by that time the situation in Poland and the Soviet record of implementation will have improved, thus allowing serious negotiations on a balanced and substantive concluding document to resume.

With us today are Lawrence S. Eagleburger, Under Secretary of State for Political Affairs, and Ambassador Max M. Kampelman,

chairman of the U.S. delegation to the Madrid meeting; and I might just add in this opening statement that I'm delighted to see you both here at the same time, and just on a personal note to say how pleased I am that both of you look so well and that we have this opportunity to be together.

If I were going to wax philosophical, which I'm not, more than about another second or so, if you look outside and look at the weather and realize that the jonquils are pushing up their yellow buds so that we can all enjoy life, we get a fuller appreciation, especially you, Mr. Ambassador, who have been gone so long, of what great and glorious life is all about, especially in the United States.

So I am delighted to welcome you both and especially our conquering and traveling hero who has been gone for almost 2 years.

Mr. Secretary, we would be delighted to hear from you, but just before we get started I am sure that my distinguished colleague from New Jersey would like to make some personal remarks. I just know it.

Secretary EAGLEBURGER. Before or after me?

Mr. FASCELL. Before. Mrs. Fenwick.

Mrs. FENWICK. Thank you, Mr. Ambassador. What I want to say is how welcome you are, how good it is to see you both and how proud we are of the work you have done on behalf of this country in that conference. It really was a breath of fresh air, a strong representation of what we stand for and we are grateful to you both. Thank you.

Mr. FASCELL. Senator Dole.

Mr. DOLE. I apologize for being a bit late, but I had a meeting with some farm editors this morning. Very pleased to have you both here and look forward to hearing your comments. Thank you very much.

Mr. FASCELL. Congressman Bingham.

Mr. BINGHAM. Thank you. I would just like to echo the welcome and the congratulations on a superb job.

Mr. FASCELL. Mr. Secretary.

STATEMENT OF UNDER SECRETARY OF STATE FOR POLITICAL AFFAIRS, LAWRENCE S. EAGLEBURGER

Secretary EAGLEBURGER. Mr. Chairman, it is a pleasure for me to appear with Ambassador Kampelman today to give the Commission the Department's views on the recent session at Madrid and, indeed, on the state of the CSCE process as a whole.

As you know, the goal of the United States at Madrid has been to strengthen the process launched at Helsinki nearly 7 years ago. We have sought to do this through a detailed review of implementation of the commitments the signatory States undertook when they signed the CSCE Final Act in 1975. And we have sponsored and supported new proposals that would build on all aspects of the Final Act—in the field of human rights and humanitarian affairs, in economic issues, and in military security. But from the outset, the Madrid conference has been encumbered by actions of the Soviet Union and, in several instances, by other East European Governments which are contrary to the spirit and letter of the Final Act.

The Soviet invasion of Afghanistan, repression of human rights activists, jamming of Western radio broadcasts, the decrease in emigration, and the long campaign of Soviet pressure against the reform movement in Poland imposed an oppressive burden upon the Madrid meeting.

In addition, there were difficult negotiating obstacles in the Conference itself. The East has not hesitated to provoke procedural fights intended to quell the dialog CSCE was intended to foster. The East has stubbornly attacked virtually all Western initiatives in the human rights and military security areas.

Nevertheless, by December of last year, the conference had made progress. This was reflected in a draft concluding document developed by the neutral and nonalined states which contained many Western proposals and criteria. This document needed improvements in the human rights and military security areas, but it clearly was a step toward final agreement.

The slow but steady progress was abruptly set back by the Soviet-inspired military crackdown against the democratic reform movement in Poland. Repression in Poland went to the core of the CSCE process. It was obvious that the reconvened Madrid meeting could have only one overriding responsibility—restoring respect for the principles and provisions of the Final Act as the foundation on which greater security and cooperation in Europe could be built.

Thus, with our allies we set the following objectives for the Madrid meeting when it reconvened in February:

First, it was imperative that those who support the Final Act must forcefully condemn those who disdain it. As Secretary Haig told the conference on February 9, and I quote: "The process of reconciliation can be halted if we ignore the acts that betray our faith. The structure of security and cooperation can collapse if we avert our eyes from the undermining of its foundation."

Thus, following up on the January 11 call by the NATO foreign ministers for urgent consideration of the situation in Poland, the Madrid meeting saw the largest gathering of foreign ministers from the participating states since the signing of the Final Act in 1975. Their speeches gave a strong and simple message to the East—stop repression in Poland, start honoring your commitments under the Final Act.

Our second goal was to reaffirm our own commitment to the CSCE process. The Final Act remains, in our view, a valid and important standard for guiding and measuring progress in solving the issues that divide Europe. The CSCE forum is an invaluable opportunity for East-West dialog. The CSCE process must be used to foster a climate of security and cooperation in which movements such as that of the people of Poland can flourish. We went to Madrid in February and will return to Madrid in the fall to further these aims.

Secretary Haig and every other foreign minister who addressed the session stressed the need to make the CSCE process work. In addition, Secretary Haig and other allied ministers declared that we would be ready not only to resume consideration of new commitments in CSCE, but to aid economic recovery in Poland when tyranny is lifted.

Finally, we were resolved not to let the reconvened Madrid meeting resume business as usual; that is, negotiation towards a substantive concluding document, while the Final Act itself was under attack. We did not lightly decide on this course. The initiatives which we and our Allies have worked long and hard to see adopted at Madrid are designed to benefit not only the West, but all the people of Europe. Precisely because we value these proposals, we would not let them be dishonored—and the victims of Soviet repression be ignored—by acting as if nothing had happened. The defense of the Final Act took priority.

The West fulfilled all three of these goals at the reconvened meeting. It did so through an impressive display of unity. Allied delegations--not just the United States, but our Canadian and European colleagues as well—led the way in condemning Eastern offenses against the Final Act; in developing and carrying out tactics for meeting Western objectives, in making sure that the East understood that the West was one in its assessment of the damage wrought by repression in Poland and the long and sorry list of other Eastern violations of the Final Act.

As a result of an initiative by the neutral and nonalined countries, the Madrid meeting recessed on March 12. It is scheduled to reconvene on November 9, and I would like to give you some thoughts on that fall session.

We have not set preconditions for returning in the fall. At the very least, we will want to use the fall session to review the situation in Poland, Eastern compliance generally with the Final Act, and the health of the CSCE process. Whether there can be progress toward a substantive concluding document depends on the outcome of this review. If there is no improvement in Poland—release of political prisoners, the lifting of martial law, initiation of a process of national reconciliation—then there is no prospect for the comprehensive agreement we long have sought. We do not wish for such a situation. We hope that there will be significant improvement in Poland, principally for its own sake, but also because it would create a climate that would improve chances for agreement on new initiatives under the CSCE process.

Should work resume on the draft concluding document tabled by the neutral nonalined states last December, there would be important East-West differences to overcome regarding human rights and over the mandate for the proposed Conference on Disarmament in Europe. There is no assurance that the East will be any more ready in the fall to accept our proposals than it has been in the past.

As a final note, I would like to pass on Secretary Haig's deep appreciation for the superb performance by Ambassador Kampelman and the members of our delegation in Madrid. For 18 months now—far longer than any of us anticipated—Max's skilled leadership and deep commitment to CSCE have contributed to Western unity and success at Madrid. Throughout the conference, but especially in the recent session, the Commission staff has been a mainstay of our effort in Madrid, both through their participation on the delegation and through their backup work here in Washington.

Let me conclude, Mr. Chairman, by saying a personal word, if I may, which is I think we all recognize the superb performance of

Ambassador Kampelman and I think we are all grateful for it, but I would say that it has been an honor to work with a man who has spoken for millions of people who are not themselves able to be heard by the world, and it has been a real pleasure to work with him. Thank you, sir.

Mr. FASCELL. Mr. Secretary, thank you very much. We are grateful for the words of recognition and commendation for the Commission staff. We are also very proud of the staff. We are delighted that they have had an opportunity to work and be part of this very important effort.

I also want to join you in commending the outstanding work of our Ambassador, Max Kampelman, the great personal sacrifice he has made. He has performed an outstanding service for the country and for the free world.

We were talking a little bit earlier that perhaps very few times in one's life do you get the opportunity to do this kind of thing and, therefore, the sacrifice is worthwhile. I'm sure the Ambassador will be the first to say that. I wanted the record to reflect our gratefulness and our admiration also to him for the job he has done, and I would like to give him an opportunity at this point to add whatever he may like as the working head of that delegation in Madrid to the Secretary's remarks.

REMARKS OF AMBASSADOR MAX N. KAMPELMAN, CHAIRMAN, U.S. DELEGATION TO THE CSCE MADRID REVIEW MEETING

Ambassador KAMPELMAN. Thank you very much, Mr. Chairman. I do want to acknowledge with deep appreciation your own comments and those of your colleagues with respect to our performance in Madrid. I am also pleased that Secretary Eagleburger acknowledged the assistance to us from the staff of the Commission, headed by Mr. Oliver, because it was invaluable assistance. It is important that the record reflect that.

As I was listening to Secretary Eagleburger's very fine statement, which encompassed most of the questions that are raised about Madrid, I began to regret the fact that I did not have a prepared statement myself here this morning. Running through my mind was the story of the vicar who appeared before his congregation on a Sunday morning and explained how awfully busy he had been all week. He had simply not had time to prepare his sermon for the morning. He would, therefore, just speak the words that the Good Lord put in his mouth; but that next week he promised to be better prepared.

I cannot claim the lack of time, but mostly I felt if we were going to have a meaningful exchange, it would be important for me simply to give you a quick, broad view and then answer your questions.

Perhaps I should share with you, therefore, some impressions that I had after 18 months in Madrid. During those 18 months, I have probably spent more than 150 hours in private discussions, negotiations with the Soviet delegation. And one draws certain conclusions, as I have, about this kind of experience.

First, let me say that in the broad East-West context, Madrid is a side show, and we all acknowledge that. Any of us who might tend

to feel that this is really the main arena has a mistaken notion. On the other hand, even as a side show, one can learn certain lessons from it.

I sense, Mr. Chairman, a kind of arrogance on the other side which I think we must note carefully. I believe it is an arrogance that comes from an acknowledgement of their own power. This is at least my own evaluation of it.

Here we came to Madrid, certainly our delegation and practically every delegation there, in a bona fide search to see what we could do about strengthening the Helsinki Final Act. Prior to Helsinki, the Soviets, at least as a gesture toward the ideals that were implicit in this, the Soviets at least cut back on their radio jamming. Prior to Belgrade, there was an increase in emigration from the Soviet Union. And one would have thought that there would be some kind of a gesture preceding or during Madrid.

What we found was an increase in jamming and a decrease in emigration, and the period of the last 18 months has been a period of continued decrease in emigration, continued violation of human rights, violation of the provisions of the Helsinki Final Act, repression, and a kind of disdain, it seems to me, a kind of "What are you going to do about it"? At least for me, this is the message that I received, whether it was intended to be communicated to me in those terms I do not know. But I think it is important that I share that impression with you.

When we talked about victims of repression, the other side would exclaim, "Why are we so concerned about criminals and scum?" Now, this arrogance cannot be ignored, and I simply note that for what it is and for whatever lessons one wants to draw from it.

Now, I also believe, however, that they thought they might be able to get away with it. I believe they thought that the mood in Europe was such that perhaps the arrogance and their power and their military strength and the fact that they dangled the idea of a conference on disarmament might be enough so that the West would ignore these instances of human rights violations and these other transgressions of the Helsinki Final Act. I think they were surprised to find that this was not the case. Indeed, we have every reason to know from all kinds of conversations in Madrid that they were utterly surprised that Western unity should last for these 18 months.

I think these are lessons also that the United States as a government might learn and has learned. The human rights ideal is a terribly powerful weapon for our country because it is an ideal that is shared by people all over. And if we could identify ourselves and continue to identify ourselves with that ideal, this is all to our benefit.

I also think that standing tough is another indispensable part of our relationship with the Soviet Union because we are not only with the human rights equation highlighting the distinguishing characteristic between a free society and a slave society just by that stand, but if we can remain firm in our views once we establish what our views are on a particular subject, I think that too is very important. This is true for two reasons: the message it gives to the other side, and the feeling of confidence that our friends then

begin to develop in the fact that we may have a constant position that they can identify themselves with. I think that is vital to do.

Therefore, I would say that what is necessary is a constancy of message and a consistency of message. I would summarize by saying the message should be: identifying ourselves with the aspirations of the people, which include aspirations for peace, for disarmament, for human rights; identifying ourselves with those aspirations and then challenging the Soviet Union because every single activity of that society runs contrary to those aspirations.

I have very little doubt in my mind that the decisionmakers in Moscow, who are generally slow to react, record that which is done. I also believe, based on previous experience, that they questioned the constancy of our message. They may very well believe that if they wait 6 months, and 8 months, and 10 months, they have now waited 18 months and maybe they have got to wait 24 months, that at some point the West will not be as constant, will not be as consistent, and I think that is something that we must all comprehend.

I didn't mean to go on that long, Mr. Chairman. Why don't we throw this open to questions.

Mr. FASCELL. Thank you, Mr. Ambassador. We appreciate that personal overview.

Mr. Secretary, I just went back to check your statement and I was very pleased to note that the administration's position is that we will go back, the United States will go back with no precondition, which is a commitment, a continuation, as I understand it, of our commitment to the whole CSCE process, et cetera, which certainly will emphasize and relay the message to our allies that they want to hear. So I think that is great.

The question of reviewing the situation at the time is vital, and I notice that you have been very careful not to put any conditions with respect to a concluding document, so as to preserve all the options. I think that is wise and I want to commend the administration for doing that.

Now, having said that, I just scratched some notes down here. There is internal pressure, talking about the Soviet Union, which we consider a real issue on emigration, on the activists inside the Soviet Union, simply in complying with the terms of the Final Act or human rights generally as we understand it and what we think is the open, free, and democratic West. There is the issue of Poland and, finally, Afghanistan.

Now, just looking at it from my standpoint as a layman, looking at those three issues down the road this year, I see no change coming. I see absolutely no change coming. I don't think there is going to be any pressure, I don't think there is any pressure that can be put. I think as far as we are concerned we are doing the best we know how and we can, and by "we" I mean the United States and the Western allies, but I don't really see any change as part of that very same thing that you are talking about, Ambassador. They are at it for the long pull, they are too afraid to make any changes. I don't think they are going to give an inch when we get ready to go in November. I hope I am wrong, but that is the way it looks to me.

Now, we are going to go back into the CSCE process—and this is not the first time we have been confronted with this problem—and we are going to have to ask ourselves "What do we do here?" There is a legitimate need for the forum, there is a legitimate need to make some progress, and we have to ask ourselves constantly, it seems to me, "Is all of this worthwhile? Should we chuck it in at any one point? Are there really conditions beyond which we are just not going to be able to live or to exist?"

So I would like for you to address that possible policy dilemma that we appear to be in, or might be in.

Secretary EAGLEBURGER. Mr. Chairman, let me start by saying, you know, I suppose there might be some circumstances under which we would, as you say," chuck it all in." I think we are not there or anywhere near that point at this time because I think when everything else is said and done what the CSCE process gives us is several things that are terribly valuable to the whole process of American foreign policy.

It, first of all, gives us a forum that the Soviets simply cannot ignore, nor can the people of the world ignore, to remind the world of their failure to meet their commitments under the Helsinki Final Act. Second, I think it is important to remember that the Helsinki Final Act and the CSCE process give us a place in a forum which discusses European issues, which if it did not exist, we would have to try to invent, because without it what you have at some point is the Soviet Union talking to Europeans about European problems, where I think it is clear that European issues are in fact American issues as well.

So that we have a forum which involves us and which recognizes that we are in our own way a European power. I think that is terribly important to preserve as a forum for discussion.

Finally, sir, recognizing Afghanistan, Poland, the whole question of Soviet compliance on emigration and so forth, recognizing that those are all terribly difficult issues, I think I would argue that—I will give Max his point that in a sense Madrid was a sideshow, but only in a sense, because I happen to believe that it is one of the areas where Moscow paid serious attention to what was said, not just by the United States, not in fact just by NATO Europe, but what the neutrals and the nonalined had to say. I think it is important to them to some degree what others say about their performance and how others look at them, so that I would see with all of the problems involved that the CSCE process and the continuation of the Madrid meeting, no matter what we decide we should do there, is an important element of our foreign policy and one that keeps the pressure on the other side and one that is 100 percent an advantage to the United States and to the West. Therefore, I don't see very many circumstances at least under which we would wisely give up a forum which works for us, not for the other side. Perhaps Max would like to comment on that.

Ambassador KAMPELMAN. I agree fully, Mr. Chairman, with what Secretary Eagleburger has said. I had the occasion to speak with one of the European foreign ministers, for example, who—one of our friends—who said that he has watched Madrid carefully these last many months now. Madrid, he said, has been a forum where it has been our instrumentality. It's been going for us. It has

been an embarrassment to the other side. And at a time when we have had a great many blows, it makes no sense really for us to be giving up an instrumentality that is ours, so long as it is ours. And up until now, it has been. There is no reason why it shouldn't continue to be, because we are keeping to the Helsinki Final Act and we are asking people to judge the Soviet Union by the standards of an agreement that they signed. It is very difficult to get away from that.

I find, and I do a great deal of speaking on radio, television, and before audiences in Europe, I find that the simple statement that the American people ask about the utility of signing new agreements and new undertakings, and accepting new promises when the old promises are not being lived up to, is such a logical position that it appeals to people. And this is an area of Soviet vulnerability.

May I use the occasion, Mr. Chairman, also to say, and really I use Mr. Eagleburger's response as an illustration of this, I have found, as head of the American delegation in Madrid, the most enthusiastic and effective support from the Department anybody might expect as the head of a delegation so many miles away. And it has been extremely satisfying. The Department has a good staff, but at the highest level there has also been great support. When you have that, it makes the task that you are performing so much easier. I do want to acknowledge that support from Mr. Eagleburger himself, who headed up, of course, as Assistant Secretary, that effort, and from his staff.

Mr. FASCELL. Senator Dole.

Mr. DOLE. She is the early bird to this Commission and I was last.

Mrs. FENWICK. We yield to the other body.

Mr. DOLE. I think Congressman Fascell touched on—I never fully understand this language you use in the State Department. I mean, it is always so nonspecific and——

Secretary EAGLEBURGER. On purpose, Senator.

Senator DOLE. Right, I understand. I understand that, but I never understand what you are really telling me. I don't say that is on purpose. You may not understand what we are telling you, so I guess it washes out fairly well.

The thing that concerns me now with what appears to be a growing effort by the Soviets to make nuclear freezes, or disarmament, or whatever, an international debate, is they are going to use every forum possible. You know, you pick up the weekly news magazine this week and everyone is doing either a cover story or an inside, in-depth story on it, and whether it is in New Hampshire, or New Jersey, or wherever, there are a lot of resolutions passed now in town meetings on a nuclear freeze. At the same time, of course, we don't have any opportunity to delve into Soviet society and to in effect state our position.

The thing I guess I am concerned about, are we in effect by continuation providing another forum for the Soviets come November 9 in Madrid to further exploit what they perceive to be a good propaganda effort and the so-called nuclear freeze? Are you concerned about that? I understand we have some restrictions and we haven't

gone outside those restrictions, but is that a possibility they might try to use this as a forum for more propaganda in that area?

Secretary EAGLEBURGER. Senator, you, in fact, touched on a question that I was regretting I had not talked about in answer to Chairman Fascell's question. Yes, I think there is always a possibility that they will raise the nuclear freeze issue in the CSCE. They will raise it between now and November through every chance they get, and we have to answer that question, both in the United States and in Europe, and there is no question it has touched a responsive chord, at least in some people. I have my own views of the whole proposal for a nuclear freeze, and those basically are that, first of all, this administration is offering reductions, not freezes. Second, if we freeze or agree to a freeze, in my view Paul Nitze has a virtually impossible task to negotiate in Geneva. But that I know is not the point of your question.

My argument would be with regard specifically to the CSCE. Sure, they may use it as a forum, but it seems to me that it is terribly obvious that one of the things the Soviets are now about is, in fact, to try to drive Poland off the front pages of the newspapers. They want to get talking freezes, and El Salvador, and any other issue they can talk about because they want everybody to forget about Poland. One of the things that the CSCE forum offers us is the chance to remind the world that Poland is still there and that the Soviets have done what they have done and that Jaruzelski has cooperated in that effort and it is all a violation of international accord and agreements. In other words, from my point of view, it offers us a much better forum than indeed it offers the Soviets, and I say that again partly on the basis of what Max has touched on, which was with all of the talk about allies and response to Poland, we have as an alliance stood very firm in Madrid, and I think we will in the future in Madrid, and I think that our effort, not only in Madrid but between now and Madrid, has got to be to remind the world that the Soviets aren't going to get away with the propaganda game they are playing, which is at least in part simply aimed at trying to get the world to forget what is going on in Poland.

Mr. DOLE. Not to mention Afghanistan. I think that has already been forgotten. I mean, there were 400 people who showed up at a rally—of course, the weather wasn't that good on Sunday—but Afghanistan, you have to look for it to find it anywhere on news shows, radio shows, newspapers. I don't believe the Soviets have done anything there that would indicate any retreat from their position.

Secretary EAGLEBURGER. Again, Senator, I would agree with that, and I can only say as far as Afghanistan is concerned that the lack of attention to the degree there is a lack of attention is not for this administration not trying to keep it in front of the people, because the whole Afghan Day exercise, which was a European idea, something we picked up, it's something the Vice President was engaged in, we have tried very hard to remind the world that Afghanistan is there.

Mr. DOLE. I understand that. I think it was a good effort at least to highlight the fact that the country is still there and repression is still there and the Soviets are still there.

Are you concerned, Mr. Ambassador, as leader of the delegation and one who has the prime responsibility, that we could lose—I don't really believe the Soviets care how firmly the alliance may be in Madrid, they are not really concerned about the few people there, they are concerned about the millions of people who are waivering in Europe and in this country and other countries where they have had a fairly effective impact—well, they have already had an impact even though the leadership has rejected Brezhnev's so-called freeze for the very reason suggested by Secretary Eagleburger. Do you have any concern about improper—not improper, but the use of this forum by the Soviets in that area?

Ambassador KAMPELMAN. Let me answer your question, Senator, by saying that it would not concern me if they tried to use this forum. We have been using this forum for the same purposes and have been doing a better job of it and a more persuasive job. When I say "we," I mean the West.

Let's take the last day of our session, which was, what, a week and a half ago. I think there were 24 speakers who spoke on that last day and out of the West there might have been—I am just guessing now—there might have been 11, 12, and I think 4 neutrals spoke. I would estimate, and I could get you the exact information on that, I would estimate more than half spoke about Afghanistan. We never in Madrid forget about Afghanistan. We never let them forget about Afghanistan.

I made a major talk, Senator, about chemical warfare use, a talk, incidentally, which became the basis for an editorial, a favorable editorial from our point of view, in one of the largest Spanish newspapers, I think the second or third largest in the country.

They obviously were terribly unhappy about this talk, but we gave it, got on television, and radio talking about chemical warfare. On the military issue, we have on a number of occasions talked about the Soviet military threat to Europe, asking questions about why they need all those tanks pointing toward Europe. Is that a defensive weapon? With facts and figures. And at the end of one of those, I recall the head of an Eastern European delegation meeting me informally in the corridor and saying to me, "Max, I did not know many of those facts". He didn't question their accuracy, he simply did not know, had no reason to know. We don't let them forget about it.

About the nuclear freeze, it was a source of tremendous satisfaction to all of us to have about a week before the meeting ended, 10 days before the meeting ended, in response to a Soviet effort along these lines, the head of the Delegation of the Federal Republic of Germany take him on and talk about the SS–20's. At that time we used the figure 280, today it is 300 SS–20's.

So that in that forum we have no hesitation in talking about these issues and putting them on the defensive because the facts are on our side and we try our best then to follow it up with press, with radio, with television, because you are completely correct, that European public opinion is tremendous, a tremendous objective of massive Soviet effort.

Mr. FASCELL. Thank you very much. Mrs. Fenwick.

Mrs. FENWICK. Thank you, Mr. Chairman. It seems to me that the most valuable thing that was achieved there, and the reason

for which we really must continue these conferences, is the proof of the unity of many nations, not just our NATO allies, but also of those who are free to speak in defense of human rights. I think that that is a tremendously important contribution and it depends on the skill and the patience, Mr. Ambassador, with which you have handled all these nations, talking to them privately and in groups, to insure their understanding of what we really do stand for and are prepared to do battle for.

The effect on the public opinion in Europe is also most important. I wish that more had been made of the President's speech, that November 18 speech. I don't think that that has been sufficiently followed up in talks by those who are responsible for the conduct of our foreign affairs in this country, and I don't think enough has been made of it abroad, either. It was precisely, it seems to me, what those agitated and frightened people in Europe needed to hear, the talk of arms reduction, which the Pope followed with a call for balanced reduction. That is the key, it seems to me. You say that we must be committed to peace, and justice, and human rights. Indeed. One has to understand that many Europeans are frightened. A lot of bad behavior comes from acting through either guilt or fear, unreasonable and emotional behavior.

One of the great values of the exercise at Madrid is that it forces people to think about what we all really stand for. In Cheysm's remarkable speech he spoke of the values we must sacrifice for. He said, "Is it just to have a longer vacation and a second car?" Remember? And that is what we are talking about, isn't it? It is more than that.

It isn't just that Western industrialized nations are productive. It isn't just that the standard of living is higher. That is fine. But it is primarily that their people are free to dissent, and to speak, and to practice their religion, and to come and go, and to defy the government if they feel like it. It is a marvelous achievement when you think of the tyrannies that people have been subjected to.

I would like to ask you one thing. I was struck by what you said, Mr. Ambassador, about their arrogance. Do you think that the people in the Iron Curtain countries, particularly, of course, the Soviet Union, are afraid to behave a little more decently toward their citizens because they think it will disturb the status quo? Are you in sympathy with what Bukovsky and Amalrik and others told this Commission when they came as witnesses to our hearings, that the Soviets didn't dare to allow a more equitable treatment of their people because that would spell the end of the regime, they had to have the absolute control of the press and the people or the regime would be torn apart at once? Or do you think, on the other hand, they are arrogantly sure that they are sitting strong and don't need to do anything? "What are you going to do about it?" as you so cogently said. What do you think? Do you think some members of the delegation might have one point of view and some the other and maybe they are not a monolithic group?

Ambassador KAMPELMAN. Like many things, the answers are not simple and are a combination of many factors. My observation of their behavior satisfies me that the use of the word "arrogance" was an accurate description of much of Soviet behavior externally.

It is clear that internally in any dictatorship, particularly one in the Soviet Union which is about to go into serious transition, with succession problem, that there is fear. The nature of a totalitarian society is fear. Fear of people, fear of one another, fear of the future. And when you have fear, you have mistrust. And there is mistrust of their people. There is no doubt about that.

I read with keen interest the statement in this September issue of a Communist magazine, "Kommunist," written by this man who had this mysterious death, Tsvigun, this top man at the KGB, who died mysteriously. A young man, relatively young man, in his fifties. And it was fascinating to me to read that very long piece by him where, in effect, he says to the Communist cadre, "We are being threatened." You know, it is interesting he says, he is being threatened by pop music, he is being threatened by Western clothing. He is being threatened also by the growth of the Moslem movement, Jewish emigration. The West, he says, is behind all of this, this threat.

In effect, what I read into what he is saying to his colleagues in the Soviet Union is: "We the KGB, we are saving you from all these threats. That is why we need all of this power that we have got." That is, in effect, what I read in this situation.

Mrs. FENWICK. There was one question more I was so anxious to ask you and I must leave because Chairman Bingham is chairman of my next committee meeting. If we are going to have any kind of a joint declaration, what are the differences between what you would recommend and what they are willing perhaps to grant?

Ambassador KAMPELMAN. I will answer that quickly in view of your schedule. Let me first say, you are aware, our delegation has mentioned the names of 100 victims——

Mrs. FENWICK. I know.

Ambassador KAMPELMAN [continuing.] Of dissidents, showing our concern. The neutral and nonalined document is one which obviously reflects a great many areas acceptable to us. I don't like to use words like "concessions" or anything else, because those are pejorative words. But there is a great deal in that neutral and nonalined document that is favorable to us, that is consistent with what we came in with, and that reflects many, many months of firmness by us and movement on the other side toward our view.

We refused to even discuss those issues from February until March for good reason. We felt that the Polish outrage made it ridiculous and ludicrous for us to then be talking about a piece of paper. So we simply took the position we were not going to do so, and that is still our position, I want to make that clear.

Your question is to what extent are there shortcomings in the paper, and there are. Mostly, in many areas it simply does not go far enough. There is really no discussion of the question of jamming, no reference in any way to what we consider to be the important concept of monitors, none at all in that area. In certain other areas dealing with the preambular language, for example, we feel it does not accurately reflect that which took place in Madrid.

Now, if you ask me the question which you have not asked me, but I am sure it is in your mind, "How firm would we be, assuming the Polish situation got resolved to our satisfaction and we went back into a negotiation, how firm would we be on that language

and would we rather take these things and put them in our pocket and wait for the next time?" I have got to say my inclination would be to be firm. My personal inclination would be to be firm. But I would be also very candid with you to say that if we could get a few hundred people out of jail, I would be a little less firm about the sentences and prefer the human lives.

Mrs. FENWICK. The lives, absolutely, first things first. Thank you.

Mr. FASCELL. Let me ask this question on that point. I gather CDE, or the Conference on Disarmament in Europe, is pretty much locked in and an accepted part of the document. I don't have the same kind of feeling with respect to the balance part of it on the Conference on Human Rights, the Conference on Family Reunification. I know that that is our policy, but what I am asking is, is this one of the principal dividing issues in the final document that will have to be negotiated in November?

Ambassador KAMPELMAN. The neutral document does provide for that meeting on human rights, Mr. Chairman. It does not provide for the meeting on family reunification. But it does provide for the human rights meeting. So that, in a sense, there is some of that balance—the effort was made by the neutrals and nonalined countries to give us that balance.

I want to say with respect to the CDE, again, if I might say, in connection with public opinion and propaganda, the Soviets came in asking for a conference on military détente and disarmament. They are not getting it. What we are getting, if we ever go through this, what the neutral paper is reflecting is a conference to deal with confidence-building measures which we should be using, I was delighted that President Reagan used the term in his November speech, that it was a conference to deal with surprise military attack because that is what it is all about, surprise military attack. And the peoples in Europe know if there a surprise military attack, they know where it is coming from. And that is another way for us to constantly remind them what the nature of the problem is in Europe.

But on that conference, Mr. Chairman, on surprise military attack, and I will therefore use that word, we are not still—we are not prepared yet to buy that neutral language. I want to make that clear. We still have a difficulty about that neutral language which we will have to negotiate. I guess what I am saying is that it is not yet locked in. The idea of the meeting is locked in, but there is still an element that we would like to get a bit refined.

Mr. FASCELL. In other words, we are still negotiating. Commissioner Palmer, would you like to make a comment or ask some questions?

Mr. PALMER. No, thank you, Mr. Chairman.

Mr. FASCELL. Gosh, how can you pass up an opportunity like this to look at your boss over there and ask him a question?

Secretary EAGLEBURGER. That is why he is passing up the opportunity.

Mr. PALMER. Mr. Chairman, let me just say I think this will very likely be my last appearance as the CSCE Commissioner from the State Department. Mr. Abrams should be processed very soon. Let me just say that I very much appreciate the opportunity of having had some service with you and give my own very deep gratitude for

the staff, which has worked very, very closely with the Human Rights and Humanitarian Affairs Bureau where I have been the last 2 years. Thank you very much.

Mr. FASCELL. Quite welcome. Senator Dole?

Mr. DOLE. I have no further questions. I would just suggest maybe one other, and I am certain we are proceeding with deliberate speed on this, and that is on START. One way to pull the teeth of any problem with using this or any other forum on nuclear freezes is to really start movement in the START talks. I know it takes a while to do that, but it has been a while. I think that would diffuse a lot of the local, domestic, Capitol Hill activity as well as efforts by the Soviets to paint us into a corner. I know that you don't have direct control of that, but it is something you do focus on.

Thank you very much for coming. I again also want to extend my congratulations to Ambassador Kampelman for his outstanding work and continued efforts on behalf of a lot of people who cannot be heard and who may never know what you have done, but it is worthwhile.

Mr. FASCELL. On that very fine note, let me say, Mr. Secretary and Mr. Ambassador, thank you very much. I believe that the record here today is a very important one as we look to reconvening in November for CSCE, and I would hope that you would have other forums where you would have an opportunity to explore in depth what was done and what the future looks like on this very important issue.

[Whereupon, at 10:14 a.m. on March 23, 1982, the Commission hearing was adjourned.]

○